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Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

Subchapter A—Administrative Organization

Subchapter B—Immigration Regulations

PART 60—FIELD SERVICE DISTRICTS AND OFFICERS

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

PART 168—FIELD SERVICE OFFICERS' POWERS AND DUTIES

CANCELLATION OF NATURALIZATION; CRIMINAL VIOLATIONS

DECEMBER 26, 1944.

The following changes in Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 60.24 is amended to read as follows:

§ 60.24 *Investigation and report of naturalization illegally or fraudulently procured.* Whenever a district director has reason to believe that any grant of naturalization has been illegally or fraudulently procured, he shall cause an immediate investigation to be made of all the pertinent facts and circumstances regarding the procuring of such naturalization and shall report the facts in writing to the Commissioner, with recommendation as to whether suit should be instituted looking to the revocation of the order granting the certificate of naturalization or citizenship and to the cancellation of the certificate, but if the facts indicate illegal or fraudulent procurement of naturalization in violation of the penal provisions of the Nationality Act of 1940 (54 Stat. 1163; 8 U.S.C. 746) action shall be taken in accordance with § 60.25.

Section 60.25 is amended to read as follows:

§ 60.25 *Criminal violations; investigation and action.* (a) Whenever a district director has reason to believe that there has been a violation punishable under any criminal provision of the immigration, nationality, or related laws

administered or enforced by the service, he shall cause an immediate investigation to be made of all the pertinent facts and circumstances. After the investigation is completed, the district director shall take or cause to be taken whatever action is required by the rest of this section.

(b) The district director shall close any case, in so far as prosecution is concerned, where investigation establishes to his satisfaction that:

(1) No violation has occurred;

(2) The statute of limitations has run;

(3) In the case of a violation of section 346 (a) (18) of the Nationality Act of 1940 (54 Stat. 1165; 8 U.S.C. 746) the alien falsely represented himself to be a citizen of the United States solely for the purpose of obtaining employment which he could or would have obtained even though he had fully disclosed his foreign nationality and alien status;

(4) In the case of a violation of section 346 (a) (29) of the Nationality Act of 1940 (54 Stat. 1166; 8 U.S.C. 746) the person who duplicated the document as described in that provision or caused it to be duplicated was ignorant of the provisions of said section 346 (a) (29) and did not use the duplicated document for any unlawful purpose;

(5) In the case of a violation of section 31 (a) or (b) of the Alien Registration Act, 1940 (54 Stat. 673; 8 U.S.C. 452) there was no refusal or willful failure to apply for registration and to be fingerprinted, and the alien complies with the provisions of said section 31 on demand. This shall include the case of any alien who did not apply for registration and to be fingerprinted under the provisions of said section 31 because he had a bona fide belief that he was a citizen of the United States, because he was confined to an institution and so was unable to apply for registration and to be fingerprinted, or because he was ignorant of the requirements of the said section 31, or

(6) In the case of a violation of section 35 of the Alien Registration Act, 1940 (54 Stat. 675; 8 U.S.C. 456), the alien failed to notify the Commissioner of Immigration and Naturalization of a change of address or new address be-

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NOTICE

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cause he was ignorant of the requirement of said section 35 or that the failure to comply with the provisions of said section 35 was unintentional: *Provided*, That the alien voluntarily furnishes at the time of investigation full information as to his addresses which he failed to report as required by said section 35.

(c) The district director shall submit to the Central Office any case in which he finds that:

(1) He is in doubt as to whether the case is within one of the classes of cases which under the provisions of paragraph (b) of this section he shall close; or that he is in doubt as to whether the case is a proper one to submit direct to the United States Attorney under paragraph (d) of this section;

(2) The person under investigation or another person involved in the violation advances a claim to United States citizenship that is not frivolous, the alienage of such person or such other person is one of the facts that must be established to prove that a violation has occurred, and there is reasonable doubt as to whether such person or such other person is a citizen of the United States or an alien;

(3) The crime under investigation is such that conviction thereof would result in cancellation of the defendant's certificate of naturalization under section 338 (e) of the Nationality Act of 1940 (54 Stat. 1159; 8 U.S.C. 738), or

(4) He has reason to believe that the provisions of section 10 of the Immigra-

tion Act of 1917, as amended by section 27 of the Immigration Act of 1924 (39 Stat. 881, 43 Stat. 167; 8 U.S.C. 146), have been violated by any person or any owner, officer, or agent of a vessel or transportation line. In such a case the district director shall promptly serve notice upon such person, owner, officer, or agent that it is his intention to recommend to the Attorney General that a prosecution be brought; and such person, owner, officer, or agent shall be allowed 60 days within which to submit to the Department, through the district director or officer in charge and the Commissioner of Immigration and Naturalization, a statement of reasons why neither of the proceedings should be brought. When transmitting such statement of reasons to the Commissioner, the district director or officer in charge shall submit a full report of the case and his recommendation as to whether the proposed proceedings should be brought and if so whether in personam or in rem.

(d) The district director shall submit direct to the United States Attorney having jurisdiction, without reference to the Central Office, all cases which the district director is not required to close under the provisions of paragraph (b) of this section or to submit to the Central Office under the provisions of paragraph (c) of this section. The district director shall also submit direct to such United States Attorney any case which the district director is not authorized by this section to close and in which the statute of limitations is about to run or in which there is likelihood that the person believed to be guilty will flee.

(e) On receipt in the Central Office of a case submitted by a district director under the provisions of paragraph (c) (1) (2) or (3) the General Council shall either close the case or make a recommendation to be transmitted through the district director of the district where the case originated to the United States Attorney having jurisdiction or take whatever appropriate action may be necessary. On receipt in the Central Office of a case submitted by a district director under the provisions of paragraph (c) (4) the case shall be transmitted to the Board of Immigration Appeals for its action.

Section 90.7 is amended by changing the language therein which reads "pursuant to Part 160 or § 168.13 of this title" to read "pursuant to Part 160 or § 60.25 (c) (4) of this chapter"

Section 168.13 is revoked.

JOSEPH SAVORETTI,
Acting Commissioner of
Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-684; Filed, Jan. 9, 1945;
12:25 p. m.]

Subchapter B—Immigration Regulations
Subchapter D—Nationality Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

PART 168—FIELD SERVICE OFFICERS' POWERS AND DUTIES

PART 363—CERTIFICATE OF ARRIVAL

ISSUANCE OF CERTIFICATES OF ARRIVAL FROM CERTAIN RECORDS

DECEMBER 22, 1944.

The following amendments to Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

The cross reference following § 110.38 is amended to read as follows:

CROSS REFERENCE: For issuance of certificate of arrival based on recorded reentry of alien presumed lawfully admitted, see 8 CFR, Cum. Supp., Part 363.

Section 168.10 is revoked.

The following section is added to Part 363:

§ 363.7 *Presumed lawful admission; limitations.* No certificate of arrival shall be issued in behalf of an alien on the basis of an original entry which under the provisions of § 110.38 of this chapter is presumed for reentry purposes to have been a lawful admission for permanent residence. A certificate of arrival will be issued on the basis of the reentry of such an alien where there is a manifest record showing that the reentry was by lawful admission for permanent residence.

JOSEPH SAVORETTI,
*Acting Commissioner of
Immigration and Naturalization.*

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-683; Filed, Jan. 9, 1945;
12:25 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-382]

PART 160—WATER HEATER INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 9th day of January, A. D. 1945.

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of January 11, 1945.

Statement by the Commission

Trade practice rules for the water heater industry, as hereinafter set forth

are promulgated by the Federal Trade Commission under its trade practice conference procedure.

The products of the industry to which the rules apply consist of water heaters, and parts and accessories therefor. Members of the industry are the persons and concerns who manufacture or market these products. Water heaters covered by the rules include the several types in which the heat is produced by gas, electricity, fuel oil, kerosene, coal, or by other fuel. They are extensively used, chiefly as appliances and equipment to provide domestic hot water. They form a part of essential equipment in all modern homes. The industry's peacetime production of water heaters reached nearly 2,000,000 annually, aggregating approximately \$80,000,000 in value at retail prices.

In the rules various unfair methods of competition and trade evils are catalogued as unfair trade practices which are to be avoided and prevented as harmful to the industry and to the purchasing public. Support of sound business methods is further provided in additional rules. They are all directed toward the maintenance of free and fair competition and promotion of constructive assistance to business in harmony with law and the public interest. To this end, cooperative effort on the part of the industry with the Commission may be more effectively utilized under the rules, thereby affording increased protection to the industry and the public.

In the proceeding, instituted upon application from members of the industry, a trade practice conference was held in Chicago, Illinois, under the auspices of the Commission. Following such conference, draft of proposed rules in appropriate form was published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections as they desired to offer, and to be heard in the premises. Pursuant to such notice, public hearing was held in Washington, D. C., and all matters presented or otherwise received in the proceeding were duly considered by the Commission.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Federal Trade Commission, whereby it approved and received, respectively, the following trade practice rules in Group I and Group II:

The Rules

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive practices in harmony with law and the public interest. They are not to be used, directly or indirectly, as part of, or in connection with, any unlawful combination or agreement to fix prices, or to suppress competition, or otherwise to restrain trade.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

- Sec.
160.1 Misrepresentation in general.
160.2 Misrepresentation as to character of business.
160.3 Deceptive use of trade or corporate names, or trade-marks, etc.
160.4 Other false or deceptive selling methods.
160.5 Guarantees, warranties, etc.
160.6 Misuse of terms "close-outs," "discontinued lines," "special bargains," etc.
160.7 Misrepresentation as to installment sales contracts, their terms, conditions, etc.
160.8 Misrepresenting products as conforming to standard.
160.9 Deception as to rebuilt or second-hand products.
160.10 Imitation of trade-marks, trade names, etc.
160.11 Fictitious prices.
160.12 Combination or coercion to fix prices, suppress competition or restrain trade.
160.13 Defamation of competitors or disparagement of their products.
160.14 Substitution of products.
160.15 False invoicing.
160.16 Inducing breach of contract.
160.17 Use of lottery schemes.
160.18 Commercial bribery.
160.19 Enticing away employees of competitors.
160.20 Procurement of competitors' confidential information by unfair means and wrongful use thereof.
160.21 Unfair threats of infringement suits.
160.22 Coercing purchase of one product as a prerequisite to the purchase of other products.
160.23 Unlawful interference.
160.24 Selling below cost.
160.25 Discrimination.
160.26 Price discrimination by making small deliveries at prices applicable only to larger quantities.
160.27 Discriminatory returns.
160.28 Deception through failure to differentiate between wholesale and retail transactions.
160.29 Aiding or abetting use of unfair trade practices.

AUTHORITY: §§ 160.1 to 160.29, inclusive, issued under 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 160.1 *Misrepresentation in general.* It is an unfair trade practice to use, or cause or promote the use of, any advertising by radio, newspapers, magazines or other media, or any trade promotional literature, label, brand, mark, designation or representation (whether in the form of a guarantee, warranty, or otherwise) however disseminated or published:

(a) Which has the capacity and tendency or effect of misleading or deceiving

the purchasing or consuming public with respect to the quality, grade, size, capacity, properties, durability, serviceability, life, or performance of any product of the industry, or with respect to the construction, constituent materials, manufacture, distribution, or terms or conditions of sale of such product; or

(b) Which is false, misleading, or deceptive in any other respect. [Rule 1]

§ 160.2 *Misrepresentation as to character of business.* It is an unfair trade practice for any concern, in the course of or in connection with the distribution of industry products, to represent, directly or indirectly, that it is a manufacturer of industry products, or that it owns or controls a factory making such products, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of its business. [Rule 2]

§ 160.3 *Deceptive use of trade or corporate names, or trade-marks, etc.* The use of any trade name, corporate name, trade-mark, or other trade designation which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public as to the character, name, nature, or origin of any product of the industry or any material used therein, or which is false or misleading in any other respect, is an unfair trade practice. [Rule 3]

§ 160.4 *Other false or deceptive selling methods.* To use or promote the use of any selling method which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public is an unfair trade practice. [Rule 4]

§ 160.5 *Guarantees, warranties, etc.* (a) Guarantees which afford purchasers or users substantial and adequate protection, and are fully and fairly stated or disclosed and scrupulously adhered to by the guarantor, are desirable and recommended. It is an unfair trade practice to use or cause to be used any guarantee which is false, misleading, deceptive or unfair to the purchasing or consuming public.

(b) Under this section guarantees of the following type or character shall not be used:

(1) Guarantees containing statements, representations or assertions which have the capacity and tendency or effect of misleading and deceiving in any respect; or

(2) Guarantees which are so used or are of such form, text or character as to import, imply or represent that the guarantee is broader than is in fact true, or that the guarantee covers the entire heater or certain parts thereof which are not in fact covered, or will afford more protection to purchasers or users than is in fact true; or

(3) Guarantees in which any condition, qualification or contingency applied by the guarantor thereto is not fully and nondeceptively stated therein, or is stated in such manner or form as to be deceptively minimized, obscured or concealed, wholly or in part; or

(4) Guarantees which are stated, phrased or set forth in such manner

that although the statements contained therein are literally and technically true, the whole is misleading in that purchasers or users are not made sufficiently aware of certain contingencies or conditions applicable to such guarantee which materially lessen the value or protection thereof as a guarantee to purchasers or users; or

(5) Guarantees which purportedly extend for such indefinite or unlimited period of time or for such long period of years as to have the capacity and tendency or effect of thereby misleading or deceiving purchasers or users into the belief that the product has or is definitely known to have greater degree of serviceability or durability in actual use than is in fact true; or

(6) Guarantees which have the capacity and tendency or effect of otherwise misrepresenting the serviceability, durability, or lasting qualities of the product, such as, for example, a guarantee extending for a certain number of years or other long period of time when the ability of the product to last, endure, or remain serviceable for such period of time has not been established by actual experience or by competent and adequate tests definitely showing in either case that the product has such lasting qualities under the conditions encountered or to be encountered in the respective locality where the product is sold and used under the guarantee; or

(7) Purported guarantees in the form of documents, promises, representations or other form which are represented or held out to be guarantees when such is not the fact, or when they are service contracts of the type which are not guarantees, or when they involve any deceptive or misleading use of the word "Guarantee" or term of similar import; or

(8) Guarantees issued, or directly or indirectly caused to be used, by any member of the industry when or under which the guarantor fails or refuses to scrupulously observe his obligation thereunder or fails or refuses to make good on claims coming reasonably within the terms of the guarantee; or

(9) Guarantees which in themselves or in the manner of their use are otherwise false, misleading or deceptive.

(c) This section shall be applicable not only to guarantees but also to warranties, to purported warranties and guarantees, and to any promise or representation in the nature of or purporting to be a guarantee or warranty. [Rule 5]

§ 160.6 *Misuse of terms "close-outs," "discontinued lines," "special bargains," etc.* It is an unfair trade practice to offer for sale, sell, advertise, describe or otherwise represent regular lines of industry products as "close-outs," "discontinued lines," "special bargains," or by words or representations of similar import, when such are not true in fact; or to so offer for sale, sell, advertise, describe or otherwise represent industry products where the capacity and tendency or effect thereof is to lead the purchasing or consuming public to believe such products are being offered for sale or sold at greatly reduced prices or at so-called "bar-

gain" prices, when such is not the fact. [Rule 6]

§ 160.7 *Misrepresentation as to installment sales contracts, their terms, conditions, etc.* It is an unfair trade practice to make or publish, or cause to be made or published, directly or indirectly, any false, misleading or deceptive statement or representation, through advertising or otherwise, concerning installment sales contracts used or their terms and conditions, including down payments, interest, carrying charges, etc., or respecting any other matters relative to such contracts or their terms and conditions. [Rule 7]

§ 160.8 *Misrepresenting products as conforming to standard.* Representing, through advertisement or otherwise, that any products of the industry conform to a standard recognized in or applicable to the industry when such is not the fact, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 8]

§ 160.9 *Deception as to rebuilt or secondhand products.* (a) It is an unfair trade practice for any member of the industry to sell, offer for sale, advertise, or otherwise represent, any product of the industry as being new when such is not true in fact.

(b) In the marketing of rebuilt or secondhand products of the industry, or parts thereof, or the marketing of products containing rebuilt or secondhand parts, it is an unfair trade practice to fail or refuse to make full and nondeceptive disclosure, by mark securely affixed to the exterior of the product in an accessible place, of the fact that such product or parts are not new but are used, rebuilt, or secondhand, as the case may be, such failure or refusal to disclose having the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public. [Rule 9]

§ 160.10 *Imitation of trade-marks, trade names, etc.* The imitation or simulation of trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 10]

§ 160.11 *Fictitious prices.* It is an unfair trade practice to sell or offer for sale industry products at prices purported to be reduced from what are in fact fictitious prices, or to sell or offer for sale such products at a purported reduction in price when such purported reduction is in fact fictitious or is otherwise misleading or deceptive. [Rule 11]

§ 160.12 *Combination or coercion to fix prices, suppress competition or restrain trade.* It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation or coercion against any member of the industry or other person to unlawfully fix, maintain or enhance prices, suppress competition or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain or enhance prices, suppress competition or restrain trade. [Rule 12]

§ 160.13 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors' products in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 13]

§ 160.14 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitution, or with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 14]

§ 160.15 *False invoicing.* It is an unfair trade practice to withhold from or insert in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the effect of thereby misleading or deceiving the purchasing or consuming public. [Rule 15]

§ 160.16 *Inducing breach of contract.* It is an unfair trade practice to induce or attempt to induce the breach of existing lawful contracts between competitors and their customers, or their suppliers, by any false or deceptive means whatsoever, or to interfere with or obstruct the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business. [Rule 16]

§ 160.17 *Use of lottery schemes.* The offering or giving of prizes, premiums, or gifts in connection with the sale of industry products, or as an inducement thereto, by any scheme which involves lottery or scheme of chance, is an unfair trade practice. [Rule 17]

§ 160.18 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured

or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 18]

§ 160.19 *Enticing away employees of competitors.* It is an unfair trade practice for any member of the industry willfully to entice away employees of competitors with the purpose and effect of thereby unduly hampering or injuring competitors in their business and destroying or substantially lessening competition. [Rule 19]

§ 160.20 *Procurement of competitors' confidential information by unfair means and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or unreasonably restrain trade. [Rule 20]

§ 160.21 *Unfair threats of infringement suits.* The circulation of threats of suit for infringement of patents or trade-marks among customers or prospective customers of competitors, not made in good faith but for the purpose or with the effect of thereby harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring or prejudicing competitors in their business, is an unfair trade practice. [Rule 21]

§ 160.22 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 22]

§ 160.23 *Unlawful interference.* It is an unfair trade practice for any member of the industry, by means of any monopolistic practices, or through combination, conspiracy, coercion, boycott, threats, or any other unlawful means, directly or indirectly, to interfere with a competitor's right to purchase his materials and supplies from whomsoever he chooses, or to sell to whomsoever he chooses. [Rule 23]

§ 160.24 *Selling below cost.* The practice of selling industry products below the seller's cost, when pursued with wrongful intent of thereby injuring a competitor and where the effect of such practice is to unreasonably restrain trade, tend to create a monopoly, or substantially lessen competition, is an unfair trade practice.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monop-

olistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition.

The costs referred to in this section are actual costs of the respective seller and not some other figure or average costs in the industry, determined by an industry cost survey or otherwise. [Rule 24]

§ 160.25 *Discrimination.*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, purported allowance for alleged imperfect workmanship or defective material, or other form of price differential, where such rebate, refund, discount, credit, purported allowance for alleged imperfect workmanship or defective material, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,² and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,³ or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however*—

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce⁴ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made, in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for

¹ As here used, the word "commerce" means trade or commerce among the several States and Territories including the District of Columbia, in accordance with the full scope of the definition of such term found in section 1 of the Clayton Act (38 Stat. 739; 15 U. S. C. A., sec. 12).

any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. (52 Stat. 446; United States Code, 1940 edition, Title 15, Sec. 13c).

[Rule 25]

§ 160.26 *Price discrimination by making small deliveries at prices applicable only to larger quantities.* It is an unfair trade practice to discriminate in price by making small deliveries to some purchasers at prices applicable only to purchases and deliveries in larger quantities where such practice effects a discriminatory rebate, refund, discount, credit, service or facility, of the type contrary to the provisions of § 160.25. [Rule 26]

§ 160.27 *Discriminatory returns.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to discriminate in favor of one customer-purchaser against another customer-purchaser of products bought from such member for resale, by contracting to furnish, or furnishing in connection therewith, upon terms not accorded to all customer-purchasers on proportionally equal terms, the service or facility whereby such favored purchaser is accorded the privilege of returning products so purchased and receiving therefor credit or refund of purchase price.

However, nothing in any of §§ 160.1 to 160.29, inclusive, shall be construed as prohibiting the return of merchandise by purchaser, for credit or refund of purchase price, when and because such merchandise has not been properly tagged, labeled or marked by the seller in accordance with the requirements of §§ 160.1 to 160.29, inclusive, or has been otherwise falsely or deceptively tagged, labeled or represented, or when and because such merchandise is defective in material, workmanship, or in any other respect, contrary to guarantee, warranty or purchase contract. [Rule 27]

§ 160.28 *Deception through failure to differentiate between wholesale and retail transactions.* Where industry products are sold at wholesale and at retail in the same establishment of a member of the industry, the commingling of the two types of business in such manner as to have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers is an unfair trade practice. [Rule 28]

§ 160.29 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in §§ 160.1 to 160.29, inclusive. [Rule 29]

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such

rules does not, *per se*, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. Price lists. (a) The industry approves the practice of each individual member of the industry independently publishing and circulating to the purchasing trade his own price lists.

(b) The industry approves the practice of making the terms of sale a part of all published price schedules.

RULE B. Repudiation of contracts. Lawful contracts are business obligations which should be performed in letter and in spirit. The repudiation of contracts by sellers on a rising market or by buyers on a declining market is condemned by the industry.

RULE C. Maintenance of accurate records. It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs.

RULE D. Disputes. The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so they should, if possible, submit these disputes to arbitration.

RULE E. Fictitious bids. When submitting bids, all bidders should make their bids in good faith and on a fully competitive basis. The use by any member of the industry of fake or fictitious bids, having the tendency or effect of destroying competition and securing unfair advantage, is condemned by the industry.

RULE F. Coercion in sales. The use of buying power to force uneconomic or unjust terms of sale upon sellers, and the use of selling power to force uneconomic or unjust terms of sale upon buyers, are condemned by the industry.

Promulgated and issued by the Federal Trade Commission January 11, 1945.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-746; Filed, Jan. 10, 1945; 11:22 a. m.]

TITLE 20—EMPLOYEES' BENEFITS
Chapter III—Social Security Board, Federal Security Agency
[Reg. 1, Amdt.]

PART 401—DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION

DISCLOSURE TO CLAIMANT AND TO OTHERS

Effective November 28, 1944, § 401.3 (a) of Regulation No. 1, as amended (20 CFR,

15 F. R. 4846.

¹ See footnote on page 449.

Cum. Supp., 401.3 (a)) is amended to read as follows:

§ 401.3 *Information which may be disclosed and to whom.* (a) As to matters directly concerning any claimant or prospective claimant for benefits or payments under Title II of the Social Security Act, as amended, to such claimant or his duly authorized representative; or, upon authorization by such claimant or prospective claimant, or his duly authorized representative, to others or to the public, when consistent with the proper and efficient administration of the act.

(Sec. 205 (a) 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. 205 (a) 1302; applies sec. 1106, 53 Stat. 1398; 42 U.S.C. 1306)

In pursuance of sections 205 (a) 1102, and 1106 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 5th day of January 1945.

[SEAL] SOCIAL SECURITY BOARD,
ELLEN S. WOODWARD,
Acting Chairman.

Approved: January 8, 1945.

WATSON B. MILLER,
*Acting Federal Security
Administrator*

[F. R. Doc. 45-720; Filed, Jan. 10, 1945;
11:06 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 342]

PART 402—LOAN SERVICE DIVISION

PAYMENT OF TAXES

Amending Part 402, Chapter IV Title 24 of the Code of Federal Regulations.

The first paragraphs of paragraphs (b) and (c) of § 402.24-3 are amended respectively to read as follows:

§ 402.24-3 *Payment of taxes.* * * *

(b) *Payment of taxes on foreclosure cases.* Prior to the institution of legal proceedings all such items as may be delinquent in cases where foreclosure or acceptance of deed in lieu of foreclosure is authorized. To the end that interest and penalty charges may be avoided in such cases, the Regional Manager also shall direct the payment of current items (i. e., taxes which are payable without interest or penalty charges) as such items become payable, either prior to legal proceedings or acceptance of deed in lieu of foreclosure, or after foreclosure proceedings have been commenced in jurisdictions where such payment automatically become part of the mortgage debt and may be recovered in the event of redemption or sale to a third party. In jurisdictions where funds for the payment of taxes can only be recovered in the event of redemption or sale to a third party if paid after interest or penalty charges have accrued, funds for the payment of such taxes shall be advanced at the earliest practical date that under the local

law will afford the desired protection to the Corporation. In jurisdictions where funds advanced for the payment of such taxes would not be secured, taxes shall not be paid by the Corporation until notice of acquisition of title has been received, unless such delay might result in loss of title to the security. Exceptions may be made upon specific direction of the Regional Manager in cases where in his opinion the penalty charges are excessive and redemption of the property from foreclosure sale appears improbable. When taxes are paid in any case after authorization to foreclose has been issued, notice thereof shall be given immediately to the Regional Counsel.

(c) *Payment of taxes under tax and insurance account agreements.* Except as provided under (a) and (b) above, all such items becoming payable on properties securing obligations held by the Corporation or sold under sales instruments by the Corporation where the home owner has a Tax and Insurance Account and the tax statements or other information for the items to be paid have been received by the Corporation.

Effective January 8, 1945.

(Secs. 4 (a) 4 (k) 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 45-686; Filed, Jan. 9, 1945;
3:33 p. m.]

Chapter VII—National Housing Agency

[NHA Reg. 60-4C]

PART 704—PRIVATE WAR HOUSING

DELEGATION OF AUTHORITY TO CREDITORS AND LENDERS TO EXCEPT REMODELING AND REHABILITATION CREDITS FROM THE PROVISIONS OF REGULATION W

Correction

In Federal Register Document 44-19322, appearing at page 14687 of the issue for Saturday, December 23, 1944, the reference to "NHA Regulation No. 60-40" in § 704.3 (a) (1) should read "NHA Regulation No. 60-4C"

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL PERSONS SHIPPING AND RECEIVING COAL PRODUCED IN DISTRICT 11

Because the domestic requirements for District 11 coal cannot be met unless a drawdown in the stocks of industrial consumers of such coal is effected as an emergency measure for the remainder of the month of January 1945 beyond the extent provided by § 602.517 (b) of SFAW

Regulation No. 23, as amended, it is necessary pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) Notwithstanding the provisions of § 602.517 (b) of SFAW Regulation No. 23, as amended, no industrial consumer of District 11 coal shall receive during January 1945 on his order placed with a shipper of such coal for delivery during such month more coal than such shipper is permitted to ship by paragraph (2) below of this direction.

(2) No shipper of District 11 coal shall fill during January 1945 an order of any industrial consumer for such coal to be delivered during such month in an amount exceeding a percentage of the amount ordered determined by the days' supply of the consumer as of January 1, 1945, as specified below:

Days' supply as of Jan. 1, 1945:	Maximum percentage of the order that may be filled
Less than 21 days	100
21 to 33 days	85
34 to 47 days	70
48 days or more	50

In no event shall the application of the above percentages require the drawdown of the stockpile of an industrial consumer below a 20 days' supply.

(3) No railroad system shall receive from a shipper during January 1945, on and after the effective date of this direction, any District 11 coal unless it receives and indicates its willingness to receive during such month railroad locomotive fuel containing up to 15 per cent of 1½" or 1¼" screenings, as offered by the shipper.

(4) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 9th day of January 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator.

[F. R. Doc. 45-747; Filed, Jan. 10, 1945;
11:20 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Authority: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 8024, 7 F.R. 323; E.O. 8042, 7 F.R. 627; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 59]

ALUMINUM FOR CERTAIN DESTRUCTIVE AND SIMILAR DIRECT USES

The following direction is issued pursuant to CMP Reg. 1.

(a) Any person who needs aluminum ingot, powder (other than atomized powder), rod, or wire for any of the purposes listed below may place an order using the CMP al-

allotment symbol S-2 and the standard certification of Priorities Regulation #7. No more of such ingot, powder, rod or wire may be purchased than is needed for the purposes listed.

Steel-deoxidizing and/or alloying.
Testing steel heats (carbometer wire).
Reduction of ferro alloys, thermite reaction).
Chemical reactions.
Thermite for welding.
Aluminum-bronze alloys.
Manganese-bronze alloys.
Alnico.
Nickel Alloys.
Manganese-base alloys.
Zinc-base alloys.
Anhydrous aluminum chloride.
Welding and metallizing wire.
Calorizing.
Electric Motor rotors.
Addition to galvanizing bath.
Explosive & pyrotechnical purposes (Industrial and commercial).

(b) Any Navy owned and operated establishment may place an order for aluminum ingot which they need by use of the CMP allotment symbol N-2 and the certification of Priorities Regulation 7 or CMP Regulation 7.

(c) Any person who wishes to get aluminum pigment (powder or paste) for the manufacture of aluminum composition, as defined in Supplementary Order M-1-g, should file Form WPB-2360 according to the instructions on the form. Any person who wishes to get aluminum ingot, powder, rod or wire for destructive uses (where aluminum cannot be recovered as metal) which are not listed in this direction may apply for an authorization by writing a letter to the Aluminum and Magnesium Division, Requirements and Distribution Branch, War Production Board, Washington 25, D. C.

(d) It is no longer necessary to file form WPB-2360 for the uses listed above, or to use a "four digit" allotment number, as formerly required when allotments were granted for these uses on form WPB-2360. However, any allotments which have been made pursuant to application on form WPB-2360 are still valid and may be used.

Issued this 9th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-719; Filed, Jan. 9, 1945;
4:57 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Amdt. 1 to Direction 49, as Amended Dec. 18, 1944]

Direction 49 to CMP Regulation 1 is amended as follows:

1. Amend paragraph (b) (1) (i) to read as follows:

(i) Placed by the War Department or Navy Department only and bearing the symbol "W" "O" or "N" The War and Navy Departments will order ingot only for use in their own establishments.

2. Amend paragraph (b) (1) (iii) to read as follows:

(iii) Bearing the CMP allotment symbol S-2 (or CMP allotment numbers of which the first four digits follow in the series S-2950 through S-2975). Authorizations to use the allotment symbol S-2 (or CMP al-

lotment numbers of which the first four digits follow in the series S-2950 through S-2975) are granted only for destructive or similar direct uses of aluminum. Aluminum for most such uses is authorized without application by Direction 59 to CMP Regulation 1. Applications for allotments of aluminum pigment (powder or paste) for aluminum composition, as defined in Supplementary Order M-1-g, should be made on Form WPB-2360 with the War Production Board, Washington 25, D. C. Applications for aluminum ingot for destructive or other direct uses of aluminum not covered by Direction 59 should be made by writing a letter to the War Production Board, Aluminum and Magnesium Division, Requirements and Distribution Branch, Washington 25, D. C.

Issued this 9th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-718; Filed, Jan. 9, 1945;
4:57 p. m.]

PART 984—LEAD

[General Preference Order M-38, Direction 1]

LEAD FROM METALS RESERVE CO.

The following direction is issued pursuant to General Preference Order M-38.

Pursuant to paragraph (c), any person unable to obtain lead from the regular sources of supply and wishing to procure lead from the Metals Reserve Company, shall:

(a) For lead to be delivered during the month of January, 1945, make application by letter to the War Production Board;

(b) For lead to be delivered during the month of February, 1945, make application in writing to the War Production Board on Form WPB-4037; and

(c) For lead to be delivered after February 28, 1945, make application on Form WPB-95, as provided in paragraph (d) of Order M-38.

Issued this 10th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-722; Filed, Jan. 10, 1945;
11:19 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1293.1 *Limitation Order L-157—(a) Issuance of schedules of simplification of lines.* The War Production Board may, from time to time, issue schedules establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any hand

tools. From and after the effective date of any such schedule, no such products shall be produced or fabricated or delivered by or accepted from any producer or fabricator except in conformity with the issued schedule, and except as specifically permitted by such schedule.

(b) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may, thereupon, take such action as it deems appropriate.

(c) *Applicability of Priorities Regulation No. 1.* This order (and any schedules issued pursuant thereto) and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time and all other applicable regulations of the War Production Board which may be issued from time to time, except to the extent that any provision of this order of such schedule may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Buildings Materials Division, Washington 25, D. C., Ref. L-157.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (Issued July 20, 1942.)

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule II as Amended Jan. 10, 1945]

FORGED AXES, HATCHETS, BROAD AXES, ADZES, AND LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L-157—(a) Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in this weight)

(3) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(4) "Lend-Lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Simplified practices.* (1) Pursuant to Limitation Order No. L-157, the kinds, styles, sizes, weights and provisions set forth in Appendices A, B and C hereto, are hereby established as specifications for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers. Notwithstanding such limitation a producer may manufacture or otherwise fabricate forged axes not conforming to the specifications set forth in Appendix A hereto, for export under a license issued by the Foreign Economic Administration or to fill an order of a Lend-Lease Government.

(2) Forged axes, forged hatchets, forged broad axes, forged adzes or forged light hammers may be supplied with or without handles. Handles shall be limited to not more than three grades, as selected by the producer, for any one pattern (irrespective of size) of axe, hatchet, broad axe, adze, or light hammer manufactured, forged, or otherwise fabricated in accordance with this paragraph (b). On or before May 15, 1943, each producer shall file on Form PD-754, with the War Production Board, Building Materials Division, Washington 25, D. C., a list of the three grades of handles selected by him for each pattern.

(c) *Restrictions on manufacture.* No producer shall put into process any ferrous metal in the manufacture of a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, which fails to conform to the specifications established by paragraph (b) of this Schedule II and as set forth in Appendices A, B, and C hereto. Notwithstanding the provisions of paragraph (b) of this Schedule II, a producer may at any time sell or deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer manufactured prior to the 15th day of April, 1943.

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L-157. The War Production Board may thereupon take such action as it deems appropriate.

(e) *Records covering material, types and sizes, work in process, etc.* On or before May 15, 1943, each producer of forged axes, forged hatchets, forged broad axes, forged adzes and forged light

hammers shall file on Form PD-754 with the War Production Board, Building Materials Division, Washington 25, D. C., a list of all items manufactured by him in conformance with this amended schedule.

Issued this 10th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHITMAN,
Recording Secretary.

APPENDIX A—FORGED AXES

1. Patterns, bit styles and sizes shall be as specified in the following tables 1, 2 and 3, and patterns shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943. Not more than one type of any one pattern as listed shall be manufactured.

2. A "plain" bit style means a forged axe having a bit in which the transverse surface is continuous.

3. The finish on all forged axes shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit or bits. The striking face and bit or bits shall be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit or bits shall be ground and polished for a distance not to exceed 2 1/2 inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. In cases where a substitute name is shown in the listing of pattern names, the name listed first shall be the name of the pattern, but a producer or distributor may use one of the substituted names for the pattern, providing such listing does not indicate it as a different pattern. Substitute names may not be used for patterns other than as listed.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed, but any pattern may only be cataloged and listed in the sizes as shown in the tables.

TABLE 1—SINGLE-BIT AXES

Note: Table 1 amended Jan. 10, 1945.

Pattern	Bit style	Size (weight of head in lbs.)
Dayton (also known as Yankee or Maine).	Plain	8, 3 1/2, 4, 6
Michigan.	Plain	3, 3 1/2, 4
Jersey (also known as Baltimore-Jersey, Caroline-Jersey).	Plain	3, 3 1/2, 4
Connecticut.	Plain	3, 3 1/2, 4
Kentucky (also known as Southern-Kentucky).	Plain	3, 3 1/2, 4, 6
Deck axes (Patterns listed above with hardened head).	Plain	3, 3 1/2, 4
Battling axe (also known as mauling and construction axe).	Plain	5

TABLE 2—DOUBLE-BIT AXES

Michigan (also known as Crown) 2 1/2 (also known as Cedar and Cuckoo).	Plain	3 1/2, 3, 3 1/2, 4
Western (also known as Pennsylvania).	Plain	3, 3 1/2, 4
Reversible (also known as Half-Pecking).	Plain	3 1/2, 4
Falling.	Plain	4, 4 1/2
Swamplog.	Plain	4, 4 1/2

TABLE 3—MISCELLANEOUS AXES

Note: Table 3 amended Jan. 10, 1945.

Light weight axe (varying handle length).	Plain	1 1/4, 1 1/2, 2 1/4
Fireman's.	Plain	2 1/4, 6
Palachi (Forestry).	Plain	3 1/2
Intrenching and belt axe.	Plain	(To be made in accordance with Army Specifications to fill Government Order only.)

APPENDIX B—FORGED HATCHETS, BROAD AXES AND ADZES

1. Patterns, sizes, widths of cutting edge and weight of head shall be as specified in the following tables 1, 2 and 3.

2. No producer shall manufacture the items listed in Tables 1, 2 and 3 of this Appendix B in more than one type of any one pattern except the following items which may be made of carbon steel and National Emergency alloy steels of Series 8880 or 8450:

Full head railroad adzes with a 5 inch cutting edge.

Mine track #3 eye adze with a 3 inch cutting edge.

Railroad adze, A. R. E. A. design (9 inch blade) with a 4 inch cutting edge.

(i) When "width of cutting edge in inches" for forged hatchets, forged broad axes, and forged adzes is specified in tables 1, 2 and 3 of this appendix, a tolerance of 1/8 inch plus or minus shall be permitted.

(ii) When "approximate weight of head in pounds" for forged broad axes is specified in table 2 of this appendix, a tolerance of 8 ounces plus or minus shall be permitted.

3. The finish on all forged hatchets, forged broad axes and forged adzes, shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit. The bit shall be, and striking face may be, ground and polished but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit shall be ground and polished for a distance not to exceed 1 1/2 inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

TABLE 1—FORGED HATCHETS

Pattern	Size	Width of cutting edge in inches
Standard patterns:		
Half.	2	3 1/2
Claw.	2	3 1/2
Broad.	2	4 1/2
Broad.	4	7 1/2
Special patterns:		
Half—(Oregon, square round head) thin blade.	2	3 1/2
Underhill hatch, milled head 9 or 12 rows.	1	2 1/4
Underhill fruit box, milled head, 12 rows. Coast pattern.	1	2 1/4
Underhill chisel—wing gauge.		
Proctor, 12 ounces.		
Peckersett handling 12 or 14 ounces.		
Car or rig builders, plain or milled head.	2	3 1/2

* Choice of only one style or size.

TABLE 2—FORGED BROAD AXES

Pattern	Width of cutting edge in inches	Weight of head in pounds
Canada.....	12	7
Pennsylvania.....	11	6½
Pennsylvania.....	12	7

TABLE 3—FORGED ADZES

NOTE: Table 3 amended Jan. 10, 1945.

Pattern:	Width of cutting edges in inches
Cooper's adze.....	3
Half head.....	4
Full head.....	4
Full head (railroad).....	5
Ship carpenters, plain.....	4
Ship carpenters, plain.....	4½
Ship carpenters, lipped.....	4½
Ship carpenters, lipped.....	5
Mine track, #3 eye.....	3
Railroad, A. R. E. A. design (9" Blade).....	4

TABLE 1—FORGED LIGHT HAMMERS

NOTE: Table 1 amended Jan. 10, 1945.

Kind	Pattern	Ounces	Pounds
Nail.....	Octagon or hexagon.....	13, 16, 20.....	
	Bell face.....	7, 13, 16, 20.....	
	Plain.....	16, 20, 24 or 28.....	(1)
Ripping.....	Bell face.....	16, 20.....	
Engineers and blacksmiths.....	Cross pein.....	1½, 2, 2½, 3.....	
Bricklayers.....	Plain or adze eye.....	1½.....	
Coopers.....	Regular.....	3, 4.....	
Engineers.....	Double face.....	2½, 3.....	
	Octagon poll, driving.....	7, 10.....	
Farriers.....	Rd. poll, curved claw, driving.....	7, 10.....	
	Rd. poll, straight claw, driving.....	12.....	
	Turning.....	2½.....	
	Fitting.....	2½.....	
	Sharpening.....	2½.....	
Machinists.....	Ball pein.....	2, 4, 8, 12.....	1, 1½, 1½, 2, 2½.....
	Straight or Cross Pein.....	4, 8, 12.....	1½.....
Riveting.....	Plain eye.....	4, 8, 12.....	
Tinners.....	Riveting.....	8, 12.....	
	Planing or setting.....	12.....	
Body workers.....	Raising.....	28.....	
	Bumping.....	9 oz. and 14 oz.....	
	Bumping, bullet pein.....	7 oz.....	
	Dinging.....	10 oz., 13 oz.....	
	Point dinging.....	13 oz.....	
	Long pick dinging.....	15 oz.....	
	Offset dinging.....	10 oz.....	
	Fender bumper.....		1½ lb.
	Roughing out.....		3½ lb.

(1) In 24 and 28 ounce weights, one weight only to be manufactured.

(2) One style only.

TABLE 2—SPECIAL PURPOSE HAMMERS

NOTE: Table 2 amended Jan. 10, 1945.

Kind	Weight	
	Ounces	Pounds
Boiler inspectors.....	9	
Hand drilling or stone cutters 4" head (#2 or 14 eye).....		3
Pattern makers.....	5	
Prospecting pick.....	16, 24	
Saw setters.....	8	1½
Sealing hammers.....	1	
Electricians.....	20	
Tack (magnetic or non-magnetic).....	4, 7	
Bill posters (magnetic).....	5, 8	
Tile setters.....	3	
Boilermakers, double face (*).....		2, 3

See footnote at end of table.

APPENDIX C—FORGED LIGHT HAMMERS

1. Kinds, patterns and weights of forged light hammers shall be as specified in the following tables 1 and 2.

2. Octagon or hexagon patterns indicate a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. The finish on all forged light hammers shall be a forge finish as follows: All flash and scale to be removed with a hard wheel. Only striking faces and peins to be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. Where weights are specified in tables 1 and 2, such weights are for heads only, and a tolerance of 2 ounces plus or minus shall be permitted.

5. Milled faces on nail and ripping hammers will be permitted on 16 ounce and 20 ounce sizes only.

TABLE 2—SPECIAL PURPOSE HAMMERS—CON.

Kind	Weight	
	Ounces	Pounds
Riveting (*).....	18	
Tinners raising (*).....	32	
Trimmers drop forged, with claw tool (*).....	7	
Welders chipping, with wire brush (*).....		1
Blacksmiths hand (set hammer with handle) 1½" face (*).....		3
Tinners riveting (*).....	16	
Cobblers.....	14	

*May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

PART 3133—PRINTING AND PUBLISHING

[Conservation Order M-339, as Amended Jan. 10, 1945]

COPPER AND ZINC FOR PRINTING PLATES

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of copper, zinc and paper for the production of printed matter for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.30 Conservation Order M-339—

(a) Definitions. Meaning of terms used in this order:

(1) A person "uses" copper, copper base alloy, copper scrap, copper base alloy scrap or zinc when he first changes its form or shape in the production of printing plates by putting it into an electrolytic bath or etching or engraving it or re-using it in any way. However, in the case of an offset plate, zinc is "used" when the first prints are made from the plate. Re-use of a zinc offset plate after re-graining shall not be considered "use."

(2) The term "copper" includes copper, copper base alloy, copper scrap and copper base alloy scrap.

(3) The term "printing industry scrap copper" means old copper printing plates or other copper scrap derived from plate-making operations.

(4) The term "printing plate" means any kind or shape of printing or marking plate containing copper or zinc except plates made in plants or offices whose sole processing of plates is for use in connection with office machinery as listed in General Limitation Order L-54-c as amended from time to time.

(b) Limitation on the use of zinc. (1) In any calendar quarter beginning with the third quarter of 1944, no person shall use more zinc in the production of printing plates than 100%, by weight, of the zinc which he used in the production of such plates during the same quarter of 1941.

(2) If a plate-maker used less than 250 pounds of zinc in any calendar quarter of 1941, he may use up to 250 pounds of zinc in any calendar quarter beginning with the third quarter of 1944. Moreover, any person who used no zinc whatever in the production of printing plates in any calendar quarter of 1941 may use a total of 250 pounds in any calendar quarter beginning with the third quarter of 1944.

(3) A person may add an extra 15% to his permitted usage during one calendar quarter if he subtracts that amount from his permitted usage for the next quarter. Also, if he uses less than this order allows for one quarter, he may increase his use in the next quarter by that amount.

(4) [Deleted Oct. 13, 1944.]

(c) (1) General limitations on the use of copper. In any calendar quarter after the third quarter of 1944, no person

shall use more copper in the production of printing plates than 75%, by weight, of the copper which he used in the production of such plates during the same quarter of 1940. However, a person may use an additional 15% during one calendar quarter if he uses that much less during the next quarter. Also, if he uses less than this order allows for one quarter, he may increase his use in the next quarter by that amount.

(2) If a plate-maker used less than 100 pounds of copper in any calendar quarter of 1940, he may use up to 100 pounds of copper in any calendar quarter beginning with the fourth quarter of 1944. However, any person who used no copper whatever in the production of printing plates in any calendar quarter of 1940 may use a total of 100 pounds in any calendar quarter beginning with the fourth quarter of 1944.

(d) *Further provisions regarding the use of copper in certain processes—*(1) *Electrotyping and gravure plate-making.*

(i) For the fourth calendar quarter of 1944 and for each calendar quarter after that, three pounds or more out of every five pounds of copper used for electrotyping and gravure plate-making must be in the form of printing industry scrap copper, recast anodes of such scrap, or new cast anodes received by the plate-maker in return for an equal amount of printing industry scrap copper.

(ii) If, in any calendar quarter, 95% or more of the copper which a person used for electrotyping and gravure plate-making is in the form of printing industry scrap copper, recast anodes of such scrap or new cast anodes received by him in return for an equal amount of printing industry scrap copper, he will be allowed a "bonus" equal to 10% of the copper which he used in that quarter for electrotyping and gravure plate-making. This "bonus" must be used in the form of printing industry scrap copper, recast anodes of such scrap, or new cast anodes received by him in return for an equal amount of printing industry scrap copper.

(iii) The delivery to and acceptance by an electrotypist or gravure plate-maker of printing industry scrap copper, recast anodes of such scrap, or new cast anodes is subject to approval under Order M-9, as amended from time to time.

(2) *Copperplate engraving.* A person's entire allowable usage of copper for copperplate engravings must be composed of sheets which were in his possession or in the possession of his supplier on December 31, 1942 or old engraved plates, or a combination of the two.

(e) *Exceptions.* (1) When plates containing copper are ordered by any department or agency of the United States Government or when such plates are made exclusively for printed matter which is ordered directly from the producer of such printed matter by any department or agency of the United States Government, the copper used in such plates need not be counted in calculating the plate-maker's allowable usage under paragraph (c) of this order if the purchase order is endorsed as provided in

the following paragraph. The exemption contained in this paragraph shall not apply in the case of subcontracted printing, that is, when the order for printed matter is placed by any person other than a department or agency of the United States Government even when the printed matter is delivered to such department or agency in the fulfillment of a government contract.

(2) Each person who orders plates containing copper for the purposes described in the first sentence of paragraph (c) (1) shall endorse on the purchase order for such plates a statement in substantially the following form signed manually, or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby certifies that the plates covered by this order are to be used in the production of printed matter as described in the first sentence of paragraph (c) (1) of Order M-339, such plates or printed matter being ordered by a department or agency of the United States Government under Contract No. _____

Name of person

Duly authorized official

(3) [Deleted Oct. 13, 1944.]

(f) *Effect of allocations, preference ratings and inventories.* Notwithstanding any allocation number or symbol or any preference rating which may be extended to any person or which may be granted to any person on specific application or by any blanket symbol or rating procedure, the provisions of this order shall prevail with relation to the amount of copper and zinc which may be used by any person in the production of printing plates. The fact that a person has an inventory of copper or zinc, or an allocation for copper, in excess of his allowable usage, or that he has received permission under Order M-9 to accept printing industry scrap copper, recast anodes of such scrap or new cast anodes does not justify his use of such copper or zinc in excess of his allowable usage as prescribed by this order.

(g) *Inventory limitation.* No person shall accept delivery of copper or zinc if his combined new metal inventory of all gages and sizes of that metal for a given type of plate-making process prior to such acceptance exceeds a 60 days' supply at his current allowable rate of consumption.

(h) *Applicability of regulations.* This order and all transactions affected by it are subject to the regulations of the War Production Board, as amended from time to time.

(i) *Assignment of quotas to persons who have none.* Any person who does not have a quota of zinc under paragraph (b) (1) or of copper under paragraph (c) (1) for the production of printing plates and who finds it impracticable to do business within the limits of paragraphs (b) (2) and (c) (2) may apply for a quota by filing a letter with the War Production Board, Washington 25, D. C. Ref. M-339. This letter should state what kind of printing plates he

wants to make, and what facilities he has for this purpose. Quotas will be assigned on an equitable basis in view of the quotas of other persons in the industry. Materials will be allocated to the extent available, with the view of permitting production where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal. Every appeal must be accompanied by a Statement of Manpower Information on Form WPB-3820 where a grant of the appeal, in whole or in part, would result in an increase over current production or in new production. If a grant of the appeal would not result in an increase over current production or in new production, the appeal must be accompanied by a letter to this effect, instead of Form WPB-3820.

Note: Paragraphs (k) and (l), formerly paragraphs (j) and (i) redesignated Jan. 10, 1945.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref. M-339.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHILLAM,
Recording Secretary.

[F. R. Doc. 45-725; Filed, Jan. 10, 1945;
11:19 a. m.]

PART 3233—CHEMICALS

[General Preference Order M-63, as Amended
Jan. 10, 1945]

DISTILLED SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of distilled spirits, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.101 *General Preference Order M-69*—(a) *Definitions*. (1) "Distilled spirits" means ethyl alcohol of 190 proof or higher produced from corn or grain.

(2) "High wines" means spirits distilled at less than 190 proof from corn or grain.

(3) "Producer" means any person engaged in the operation of a distillery under a registered distillery permit issued by the Bureau of Internal Revenue.

(4) "Distillery" means any distillery which has equipment and facilities to convert corn or grain into distilled spirits or high wines.

(b) *Restrictions on operations of distilleries*. No producer shall, except as specifically authorized or directed by the War Production Board, operate any part of his distillery except for the production of distilled spirits: *Provided, however* That the War Production Board, on a proper showing by a producer that the equipment and facilities of his distillery, or of any part of his distillery, cannot be converted or adapted to the production of distilled spirits, may authorize the operation thereof for the production of high wines.

(c) *Restrictions on use*. No producer, except as specifically authorized or directed by the War Production Board shall use, bottle or barrel for beverage purposes or otherwise allocate or appropriate to such purposes any distilled spirits produced on or after February 20, 1942, or any high wines produced on or after November 1, 1942.

(d) *Directions and restrictions respecting delivery*. (1) The War Production Board will from time to time issue authorizations or directions to each producer to deliver specified quantities of distilled spirits to designated persons for designated non-beverage purposes. Except as specifically authorized or directed by the War Production Board, no producer shall deliver to any person distilled spirits produced on or after February 20, 1942: *Provided, however* That if at any time all deliveries theretofore authorized or directed by the War Production Board have been made or provided for, and a producer has available distilled spirits which he wishes to dispose of, he may apply for permission to do so by filing Form WPB-2947 with the Chemicals Bureau, War Production Board, Washington 25, D. C.

(2) The War Production Board will from time to time issue authorizations and directions to each producer to deliver specified quantities of high wines to designated persons for redistillation into distilled spirits. Except as specifically authorized or directed by the War Production Board, no producer shall deliver high wines produced on or after November 1, 1942 to any person for any purpose. No producer shall deliver high wines produced before that date unless all deliveries theretofore directed by the War Production Board shall have been made or provided for.

(3) No person shall accept delivery of distilled spirits or high wines if such person knows or has reason to believe that

the said delivery is made in violation of the restrictions of this paragraph (d)

(e) *Alterations of existing equipment and facilities*. Except as specifically authorized or directed by the War Production Board, no producer whose distillery has equipment and facilities for the production of distilled spirits shall alter such equipment and facilities in any way so as to impair the capacity of such distillery to produce distilled spirits.

(f) *Directions as to use of materials*. War Production Board may from time to time issue directions to producers as to the kinds of raw materials which may be used in the production of distilled spirits or high wines.

(g) *Notification of customers*. Producers of distilled spirits and high wines shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulations*. This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulations, as amended from time to time.

(2) *Intra-company transactions*. The prohibitions and restrictions of this order with respect to deliveries of distilled spirits and high wines, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by addressing a letter to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-69, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(5) *Quarterly reports*. All producers shall, on or before the 20th day of each

month preceding a calendar quarter, file three copies (one certified) of Form WPB-2947 with the Chemicals Bureau, War Production Board. Fill out Section I as indicated showing proposed shipments during the following quarter to Defense Supplies Corporation, and any other proposed non-beverage shipments, if any. Disregard column headings in Section II and merely indicate across the page estimated production for the following quarter. This report should be filed irrespective of whether the producers' deliveries for the following quarter have been authorized previously by the War Production Board. In case those deliveries have not been authorized, one copy of the form will be returned to the producer on which the War Production Board will indicate the deliveries which may be made.

(6) *Monthly reports*. All producers shall file, on or before the 2d day of each calendar month, one copy of Form WPB-1533 with the Chemicals Bureau, War Production Board.

NOTE: Subparagraph (7) formerly (5) redesignated Jan. 10, 1945.

(7) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C. Ref: M-69.

Issued this 10th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-723; Filed, Jan. 10, 1945;
11:19 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 85]

POTASSIUM CARBONATE

§ 3293.1085 *Schedule 85 to General Allocation Order M-300*—(a) *Definition*. "Potassium carbonate" means any form or grade of potassium carbonate (K_2CO_3).

(b) *General provisions*. Potassium carbonate is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is February 1, 1945. The allocation period is the calendar month and the small order exemption is 500 pounds per person per month.

(c) *Suppliers' applications on WPB-2946*. Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601) Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for each grade of potassium carbonate (liquid, hydrated, calcined or USP) Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington

25, D. C., Ref: M-300-85. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each grade of potassium carbonate (liquid, hydrated, calcined or USP). Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-85, and one copy (reverse side blank) to the supplier. The unit of measure is pounds (commodity basis). Fill in Column 3 as shown by the following examples:

Glass
Potassium cyanide
Pharmaceuticals
Metallurgical
Dyes
Textiles
Chocolate processing
Other primary product (specify)
Export (as potassium carbonate)
Inventory (as potassium carbonate)
Resale (as potassium carbonate)

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Table IV blank.

In Table V specify in Column 23 each grade listed in Column 1 of the application. In the heading of Column 23 enter "Frozen Inventory on first of _____" (name first day of requested allocation month) and in Column 23 enter the estimated quantity of each grade of potassium carbonate which at the beginning of the requested allocation period will be in inventory subject to further authorization before it can be used (exclusive of the authorization being requested). Leave Column 25 blank.

(e) *One time base period report.* Each person (including suppliers who consume part of their own stocks, but excluding government departments and agencies) shall file a base-period report on Form WPB-3442 on or before the date of his initial application pursuant to paragraph (d) above for authorization to use potassium carbonate. This report need be filed only once.

Instructions for filling out this form are as follows:

Separate sets of forms shall be prepared for each grade and each strength and for each different consuming point. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-85.

In the heading, specify in space (1) the grade of potassium carbonate (liquid, hydrated, calcined or USP). In space (2) specify pounds (in case of liquid and hydrated grades, add "commodity basis, strength ____%"). Leave space (3) blank. Fill in the other spaces as indicated.

In section I fill in Columns (a) and (b) as indicated. In the heading of Column

(c) specify "First Quarter 1944" in the heading of Column (d) specify "Second Quarter 1944" in the heading of Column (e) specify "Third Quarter 1944" in the heading of Column (f) specify "Fourth Quarter 1944"; and fill in these columns as indicated. Leave Column (g) blank. Fill in last line as indicated.

Leave section II blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-85.

Issued this 10th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-724; Filed, Jan. 10, 1945;
11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1314—RAW MATERIALS FOR SHOES AND OTHER LEATHER PRODUCTS

[RPS 9, Amdt. 11]

HIDES, KIPS AND CALFSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 9 is amended in the following respects:

1. Section 1314.11 (d) is amended to read as follows:

(d) *Hides, kips or calfskins sold in mixed lots.* When hides, kips or calfskins are sold in a lot containing more than one type or grade, the maximum price for the lot shall be the maximum price for that type or grade of hides, kips or calfskins included in the lot which has the lowest maximum price, unless (1) the quantity of each type and grade is determined by actual inspection and each type and grade is (2) individually marked or physically separated so as to be easily identifiable and (3) separately priced on the invoice or similar document.

2. Section 1314.12 (d) is amended to read as follows:

(d) *Hides, kips or calfskins sold in mixed lots.* When hides, kips or calfskins are sold in a lot containing more than one type or grade, the maximum price for the lot shall be the maximum price for that type or grade of hides, kips or calfskins included in the lot which has the lowest maximum price, unless (1) the quantity of each type and grade is determined by actual inspection and

each type and grade is (2) individually marked or physically separated so as to be easily identifiable and (3) separately priced on the invoice or similar document.

This amendment shall become effective January 15, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-723; Filed, Jan. 10, 1945;
11:34 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 59, Amdt. 6]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (g) of § 1315.51 is amended to read as follows:

(g) Notwithstanding any other provisions of this schedule, the maximum prices for reclaimed rubber shall be one-half cent per pound higher than the prices determined under the provisions of paragraphs (b) (c), (e), or (f) above.

This amendment shall become effective January 15, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-731; Filed, Jan. 10, 1945;
11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421, Amdt. 19]

PROCESSED FISH SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 32 (b) (8) is amended to read as follows:

(8) "Fish, processed" includes, but is not limited to, canned fish, canned seafood, and salted, pickled, smoked, dried or otherwise processed fish, such as fish cakes, roe, clam juice, and oyster puree. Excluded are "Iceland headless herring", "Matjes herring" "Matjes herring of the 1944-45 pack" (all as defined in Maximum Price Regulation No. 512*) fresh or frozen fish, fresh or frozen seafood, frozen food products in which fish or seafood are combined with other ingredients, and caviar.

* Copies may be obtained from the Office of Price Administration.

*7 F.R. 1227, 2000, 2132, 5700, 8310; 8 F.R. 2997, 11676, 12312, 13573, 15229, 16373; 9 F.R. 1325, 5987, 7431.

*7 F.R. 1313, 2000, 2132, 7653, 8348; 8 F.R. 129, 8343; 9 F.R. 3852, 6623, 11107.

*9 F.R. 5549, 9719, 10257, 10332, 11537, 11711, 11801, 13374, 15247.

*9 F.R. 1633.

2. In section 37 (c), the following items are added in alphabetical order to the list of commodities excluded:

"Iceland headless herring" "Matjes herring" and "Matjes herring of the 1944-45 pack" all as defined in Maximum Price Regulation No. 512.

This amendment shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-736; Filed, Jan. 10, 1945;
11:38 a. m.]

PART 1361—FARM EQUIPMENT

[MPR 133,¹ Amdt. 10]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 133 is amended in the following respects:

1. Section 1361.3 (a) (2) is amended to read as follows:

(2) Actual transportation costs paid by the dealer for shipment of the item of farm equipment from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer. If the dealer wishes, he may use average instead of actual transportation costs. If average transportation costs are used, they must be applied to all sales. Also, such costs must be the average of transportation costs, less any allowances or rebates, for complete items of the same general type during the completed calendar year (January 1 to December 31) immediately preceding the date of the sale. All farm equipment which is classified in any one l. c. l. freight class may be considered of the same general types.

2. The text of § 1361.3 (b) is designated subparagraph (1)

3. Section 1361.3 (b) (2) is added to read as follows:

(2) If the dealer wishes he may add a percentage of the list price, instead of the actual transportation and handling charges paid by him. This percentage of the list price must not exceed the average percentage of list price actually paid by the dealer for transportation and handling charges on parts during the completed calendar year (January 1 to December 31) immediately preceding the date of the sale.

4. Section 1361.3 (f) is added to read as follows:

(f) Sales by newly-established retail dealers of new complete farm equipment and parts without suggested retail prices. Where the retail dealer did not sell farm

equipment before April 2, 1942, he shall determine the maximum price of new farm equipment, which does not have a manufacturer's suggested retail price, in accordance with the provisions of the General Maximum Price Regulation.

5. Section 1361.3a (b) (1) (i) is amended to read as follows:

(i) The manufacturer's current suggested retail price for the item, f. o. b. factory.

6. Section 1361.6 (a) is amended to read as follows:

(a) Every retail dealer shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each sale of farm equipment showing the date thereof, the make and model or part number, the total price received, and a copy of the invoice or sales check given to the customer. Whenever trade-in equipment is received in part payment of the purchase price of equipment, the dealer shall keep attached to the record of the original sale a complete record of the ensuing sales of trade-in equipment. The dealer shall also keep a record of all transportation charges paid by him.

7. Section 1361.9 (a) (3) is amended to read as follows:

(3) "Farm equipment" means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market or farm use of agricultural products, and also the categories of non-mechanical equipment, attachments and parts included in the partial list of farm equipment mentioned below. The term "farm equipment" does not include automobiles, trucks, general purpose tools, hand tools, lawn mowers, prefabricated farm buildings, building materials, grain bins, electrical equipment (except electrically motivated farm equipment and fence controllers) sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors (except crawler tractors) garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers and stalk cutters; cultivators and weeder; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.) haying machinery (mowers, rakes, hay loaders, stackers, balers, etc.) manure loaders; dairy farm equipment (milking machines, farm milk coolers (except mechanically refrigerated), farm cream separators, etc.), poultry farm equipment (incubators, brooders, feeders, waterers, etc.) bee keepers' supplies; agricultural spraying equipment; weed burners for farm use; barn and barnyard equipment; mechanical hog feeders; ironed singletrees, doubletrees and neck-yokes; electrical fence controllers, farm pumps and water systems; windmills; windmill generating sets; portable farm grain elevators; wood slat corn cribbing

woven with wire; silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.), buggies and farm wagons; harness and saddlery; portable galvanized irrigation pipe; wire fencing, poultry netting and barbed wire sold in lots of less than 2,500 pounds; wire bale ties sold in lots of less than 2,500 pounds; irrigation equipment, except home lawn sprinklers; logging sleds and logging wagons; and attachments and parts for all the foregoing.

This amendment shall become effective January 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-734; Filed, Jan. 10, 1945;
11:36 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,¹ Amdt. 6]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In section 9, the headnote is amended to read: "*Grade marking, anti-stam, and staking and bulkheading open top cars.*"

2. In section 9, a new paragraph (c) is added as follows:

(c) *Staking and bulkheading open top cars.* When a purchase order issued by any government agency requires that lumber thinner than 5" be shipped in open top cars, a charge of \$7.50 per car may be made for material and labor involved in staking, wiring and separating. A further addition of \$7.00 covering all materials and labor, may also be charged for each bulkhead required by and made in conformity with the specifications of the Mechanical Division of the Association of American Railroads.

3. In Table 1, footnote 16 is deleted and footnote 14 is amended to read as follows:

14. 11/16" boards, S2S, S4S, S2S&CM or any working dressed both sides, deduct \$2.00 from the 3/4" price. Boards thinner than 11/16" shall be priced as the product of 4/4, 5/4 or 6/4" stock resawn and footage shall be computed on the original size.

*9 F.R. 11486, 12843.

*Copies may be obtained from the Office of Price Administration.

¹7 F.R. 3185, 6936, 7599, 8948; 8 F.R. 134, 2286, 10503, 12093, 13176.

4. In Table 2, footnote 10 is deleted.

5. In Table 14, footnote 16 is deleted and footnote 14 is amended to read as follows:

14. 11/16" boards, S2S, S4S, S2S&CM or any working dressed both sides, deduct \$2.00 from the 3/4" price. Boards thinner than 11/16" shall be priced as the product of 4/4, 5/4 or 6/4" stock resawn and footage shall be computed on the original size.

6. In Table 15, footnote 11 is deleted.

This amendment shall become effective January 15, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-730; Filed, Jan. 10, 1945;
11:35 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C¹ Amdt. 170]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

The portion of § 1394.8052 (e) following the phrase "except as follows:" is amended to read as follows:

(1) A further transport ration shall be granted for use with a vehicle or fleet for which a Certificate of War Necessity has been issued in an amount only sufficient to provide necessary mileage during the current calendar quarter for a non-recurring need. However, except in an emergency involving public welfare or safety, no further ration shall be allowed for such a non-recurring need:

(i) To the holder of a Certificate of War Necessity covering taxicab, livery or rental car operations;

(ii) To the holder of a Certificate of War Necessity in which the current quarter allotment of gasoline certified is "zero" ("0") or in which no allotment of gasoline for the current quarter has been certified; or

(iii) To the holder of a Certificate of War Necessity in respect to which the district manager of the Office of Defense Transportation has notified the Board, in writing, that the maximum allotment of gasoline certified on such certificate is not subject to increase except upon further certification of such district manager.

(2) "Non-recurring need," as used in this paragraph, means a need not extending beyond the current calendar quarter and the next succeeding calendar quarter with no definite indication that it will recur in some quarter in the future, but the term does not include any

need arising out of a permanent change of locality of operation.

(3) Application for a ration allowable under subparagraph (1) shall be made on OPA Form R-597 and shall contain, among other things, the following information:

(i) Nature of the applicant's business;

(ii) The reason or reasons why a further ration will be needed for use before the end of the period for which the current ration was issued;

(iii) The number of gallons of gasoline allotted to the applicant for the current calendar quarter which are available for use and the number of gallons needed to complete the quarter.

This amendment shall become effective January 15, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-728; Filed, Jan. 10, 1945;
11:34 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 183,¹ Amdt. C9]

IMPORTED BEEF IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

Section 26a is amended to read as follows:

SEC. 26a. *Maximum prices for imported beef sold or delivered in the Territory of Puerto Rico—(a) Definitions.* When used in this section the term:

(1) "Beef" means meat derived from the carcasses of bovine animals except calves.

(2) "Beef carcass" means and is limited to the dressed carcass, side or sides of beef.

(b) *Maximum prices at wholesale for imported beef—(1) In beef carcasses:*

(i) From the United States and Santo Domingo—\$0.22 per lb.

(ii) From Saint Croix—\$0.23 per lb.

(c) *Maximum prices at retail for imported beef—(1) Table 11a; Maximum prices at retail for imported beef, except*

beef imported from Santo Domingo, classified under the following cuts:

	Pounds
Porterhouse Steak.....	\$0.65
Tenderloin Steak.....	.65
Sirloin Steak.....	.55
Top Sirloin.....	.45
Rib Roast.....	.45
Rump Roast.....	.45
Top Round.....	.45
Eye Round.....	.45
Bottom Round.....	.45
Hamburger.....	.30
Top Chuck.....	.30
Stew Beef.....	.25
Shank Bones (1/4 meat).....	.12

(1) When the imported beef is not sold classified under the cuts listed in the above table the maximum prices at retail shall be the prices fixed at retail by section 26 for sales of beef from cattle slaughtered in Puerto Rico.

(2) The maximum prices at retail for imported beef from Santo Domingo shall be the prices fixed for sales at retail in Table 11 (c) of section 26.

This amendment shall become effective January 15, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-733; Filed, Jan. 10, 1945;
11:35 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 373, Amdt. 121]

FRESH FRUITS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The table following section 21 (d) (1) is amended by changing the wholesale prices of two items and the wholesale and retail prices of one item to read as follows:

	Wholesale Maximum Price ¹	Retail Maximum Price ²
Apples.....	Per lb. \$0.25	Per doz.
Grapes.....		
480.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
470.....	4.80	
Lemons.....	Per lb. 7.00	\$0.65
470.....	7.00	.40
470.....	7.00	.40
470.....	7.00	.40
470.....	7.00	.40
470.....	7.00	.40

This amendment shall become effective as of December 28, 1944.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-735; Filed, Jan. 10, 1945;
11:37 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 15937.

² 9 F.R. 9213, 9236, 9300, 10425, 10493, 10777, 11075, 11543, 12212, 12590, 13002, 13520, 13800, 14301, 14103, 14932, 15156.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 79]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 15, Appendix H, paragraph (b) Table 8 is amended by adding a footnote reference 5 to Items 1 a, 2 a and 3 a in Column 5 and by adding a footnote to read as follows:

⁵During the period beginning January 10 and ending January 31, 1945, the Column 5 price shall be for Item 1 a—26¼¢, for Item 2 a—51½¢, and for Item 3 a—34¢.

This amendment shall become effective at 12:01 a. m. January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator

Approved: January 8, 1945.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 45-687; Filed, Jan. 9, 1945;
4:38 p. m.]

PART 1499—COMMODITIES AND SERVICES
[RMFR 165,² Amdt. 1 to Supp. Service Reg. 35]

SERVICES OF PROCESSING SCRAP RUBBER INTO RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.2270 is amended to read as follows:

§ 1499.2270 *Modification of maximum prices established by Revised Maximum Price Regulation 165 for the service of processing scrap rubber into reclaimed rubber* The maximum price which any seller may charge for the service of processing scrap rubber furnished by the buyer into reclaimed rubber shall be one-half cent per pound of reclaimed rubber more than the maximum price established for such seller under Revised Maximum Price Regulation 165.

This amendment shall become effective January 15, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-732; Filed, Jan. 10, 1945;
11:35 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 802, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7266, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9898, 9897, 10182, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 15546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107, 15107.

² 9 F.R. 7439, 9107, 9411, 11173, 12040, 12969, 13211, 13667.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 8, Amdt. 8]

PART 503—ADMINISTRATION
PROCEDURE FOR REVIEW OF TERMS AND CONDITIONS OF CERTIFICATES OF WAR NECESSITY

Pursuant to Title III of the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, and 9294, and War Production Board Directive 21,

It is hereby ordered, That § 503.220a of Administrative Order ODT 8, as amended (8 F.R. 13073, 9 F.R. 12365, 14343) be, and it hereby is, amended to read as follows:

§ 503.220a *Additional motor fuel for non-recurring need.* (a) Subject to the limitations contained in paragraph (d) of this section, any certificate holder, who desires motor fuel in addition to that available to him under his existing certification for use for a non-recurring need, shall file his application therefor with, and for determination by, the local War Price and Rationing Board of the Office of Price Administration having jurisdiction, on a form provided by it. A non-recurring need within the meaning of this section is a need not extending beyond the current calendar quarter and the next succeeding quarter with no definite indication that it will recur in some other quarter in the future, but does not include any need arising out of a permanent change of locality of operation.

(b) No district manager shall entertain or consider any application for additional motor fuel which is required by the provisions of paragraph (a) of this section to be filed with a local War Price and Rationing Board.

(c) Whenever a local War Price and Rationing Board issues additional rations to a certificate holder for motor fuel pursuant to an application filed with it in accordance with the provisions of paragraph (a) of this section, the maximum mileage certified in the certificate involved shall be deemed to have been increased, during the period covered by the additional rations, in an amount equal in proportion to the increase in the amount of motor fuel available to the certificate holder by reason of the issuance of the additional rations.

(d) Except in an emergency involving public welfare or safety, additional motor fuel may not be allowed for use for a non-recurring need pursuant to the provisions of paragraph (a) of this section:

(1) To the holder of a certificate governing taxicab, livery, or rental car operations;

(2) To the holder of a certificate in which the then current quarter allotment of motor fuel certified is "zero" ("0") or in which no allotment of motor fuel for the then current quarter has been certified; or

(3) To the holder of a certificate in respect of which the district manager has notified the local War Price and Rationing Board, in writing, that the maximum allotment of motor fuel certi-

fied in the certificate is not subject to increase except upon further certification by the district manager.

This Amendment 3 to Administrative Order ODT 8 shall become effective on January 15, 1945.

(Title III of the Second War Powers Act, 1942, 56 Stat. 177, 50 U. S. Code § 633; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156; 7 F.R. 3349; E.O. 9294, 8 F.R. 221, War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 10th day of January 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-748; Filed, Jan. 10, 1945;
11:57 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 32]

BOISE IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER CHARGES

JANUARY 2, 1945.

1. *Annual water charges.* The annual operation and maintenance charges for the irrigation season of 1945, and thereafter until further notice, against all lands of the Arrowrock division, Boise irrigation project, Idaho-Oregon, within the Settlers Irrigation District, and other lands of the Arrowrock division not included in the Boise-Kuna, Wilder, Nampa and Meridian, New York and Big Bend irrigation districts shall be one dollar and fifty cents (\$1.50) for the first three (3) acre-feet of water and thirty (30) cents for each additional acre-foot; but a minimum charge of one dollar and fifty cents (\$1.50) will be made against each irrigable acre and must be paid as toll before any water is delivered. The minimum operation and maintenance charge will be due and payable to the Board of Control, Boise, Idaho, on April 1 preceding the irrigation season. Charges for additional water will be payable to the Board of Control upon demand.

(Departmental Order No. 1003 of Nov. 17, 1943 (8 F. R. 15872), issued under the Act of Dec. 19, 1941, 55 Stat. 842)

[SEAL]

H. W. BASHORE,
Commissioner

[F. R. Doc. 45-716; Filed Jan. 9, 1945;
4:55 p. m.]

General Land Office.

MONTANA

STOCK DRIVEWAY WITHDRAWAL NO. 11,
MONTANA NO. 1, ENLARGED

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title

43, sec. 315f) and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300) it is ordered as follows:

The following-described public land in Montana is hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, is withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 11, Montana No. 1.

PRINCIPAL MERIDIAN

T. 7 S., R. 2 W.,
sec. 8, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 40 acres.

Any mineral deposits in the land shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior

JANUARY 2, 1945.

[F. R. Doc. 45-717; Filed, Jan. 9, 1945;
4:55 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 452]

ALICE A. WAGMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102(b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Alice A. Wagman, R. D. #1, Laurel, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
207	Corona	50	Per M \$56	Cents 7
207 Special	Small Corona	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufac-

turer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-679; Filed, Jan. 9, 1945;
11:53 a. m.]

[MPR 260, Order 453]

DANIEL P. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Daniel P. Reichard, Windsor, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
For M	Net Wt.	50	Per M \$44	Cents 20-22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-680; Filed, Jan. 9, 1945;
11:53 a. m.]

[MPR 260, Order 457]

QUINCY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Quincy Cigar Co., North Madison St., Quincy, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size of frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Quincy Queen....	Perfecto.....	50	Per M \$58	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-681; Filed, Jan. 9, 1945; 11:54 a. m.]

[MPR 260, Order 458]

HENDERSON MURPHREE TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Henderson Murphree Tobacco Company, 327 E. 18th Street, Owensboro, Kentucky (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Forest Chief.....	Panetillas.....	50	Per M \$40	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-

low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size of frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-682; Filed, Jan. 9, 1945; 11:54 a. m.]

[MPR 188, Order 3273]

IDACO PRODUCTION CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three chests, a nursery chair, a child's rocker, a utility table and bench set, a child's table and an infant's chair manufactured by Idaco Production Co., 762-100th Avenue, Oakland, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Chest.....	534 421 430	Each \$5.73 3.83 4.08	Each \$9.00 4.50 5.00
Nursery chair.....	3722	2.74	3.25
Child's rocker.....	3731	2.74	3.25
Utility table and bench set.....	501	10.20	12.00
Child's table.....	3740	2.24	2.64
Infant's chair.....	3750	2.24	2.64

These prices are f. o. b. factory, and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's applications dated September 27, 28, and 29, and October 2 and 4, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Chest, 535-----	\$6.50
Chest, 424-----	4.50
Chest, 430-----	5.80
Nursery chair, 3722-----	3.25
Child's rocker, 3731-----	3.25
Utility table and bench set, 501-----	12.00
Child's table, 3740-----	2.64
Infant's chair, 3730-----	2.64

These prices are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated September 27, 28, and 29, and October 2 and 4, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 10th day of January 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-688; Filed, Jan. 9, 1945; 4:40 p. m.]

[Supp. Order 94, Order 19]

NAVY MOSQUITO BOOTS

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of certain Navy mosquito boots described below, which have been or may be purchased from the United States Treasury Department, Procurement Division.

(b) *Maximum prices.* Maximum prices per pair of the new mosquito boots shall be:

Article and description	Wholesaler's maximum price to retailer, f. o. b. point of shipment	Retailer's maximum price to consumer
Navy mosquito boots, brown split upper, approximately 12" to 14" in height, draw string around top, plain toe, leather sole, and rubber heel-----	\$3.25	\$5.00

These prices are subject to the seller's customary terms, discounts, and allowances on sales of similar articles.

(c) *Notification of maximum prices.* Any person who sells the shoes described in paragraph (b) to a retailer shall notify the retailer in writing of the retailer's maximum reselling price under paragraph (b). This notice may be given in any convenient form.

(d) *Tagging.* Every seller of the mosquito boots covered by this order must before selling or delivering any pair of mosquito boots, attach thereto a tag or label setting forth the maximum price established by this order for sales of the mosquito boots to consumers.

(e) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells shoes to purchasers other than consumers.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-738; Filed, Jan. 10, 1945; 11:38 a. m.]

[MPR 183, Amdt. 22 to Order A-2]

ELECTRIC IRONS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with § 1499.159b

of Maximum Price Regulation No. 183, *It is ordered:*

Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 183 is amended in the following respects:

1. A new paragraph (a) (19) is added at the end thereof to read as follows:

(a) (19) *Electric irons.* (i) The purpose of this adjustment provision is to remove price impediments to the production of certain low-priced electric irons. An adjustment in maximum prices may be made whenever it appears that the maximum price of any manufacturer for an electric iron which will be sold at retail for less than \$5.00 is below the price which would result from the application of the pricing formula below.

(ii) Any adjusted maximum price under this provision will be limited to an amount equivalent to the manufacturer's total October 1941 cost to make and sell the article (or his October 1941 price where that is lower), and such present increases in manufacturing costs as result from legal changes in material prices and straight time factory rates, plus an amount determined by applying his average percentage profit of net sales in the years 1936-1939 to his October 1941 total cost.

(iii) No adjustment will be made in any manufacturer's maximum price for any electric iron under this adjustment provision beyond an amount which will result in a maximum retail price in excess of \$5.00 for retail sellers generally.

(iv) In connection with any adjustment made under this provision an appropriate adjustment may also be made in the maximum prices of wholesale and retail sellers of the iron.

This amendment shall become effective on the 12th day of January 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-737; Filed, Jan. 10, 1945; 11:33 a. m.]

[MPR 183, Order 3279]

WILLIAMS NEON SIGN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, *It is ordered:*

(a) The maximum prices for all sales and deliveries by the Williams Neon Sign Company, Box 1492, Decatur, Alabama, of electric heaters of its manufacture, as described in its application dated October 24, 1944, are as follows:

Article	Model	Maximum price to jobber	Maximum price to retailer (3 units or more)	Maximum price to retailer (less than 3 units)
Rectangular radiant heater-----	WLS 79	\$2.25	\$2.50	\$2.75

These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(b) The maximum prices for all sales and deliveries at wholesale for the electric heater described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to retailer (3 units or more)	Maximum price to retailer (less than 3 units)
Rectangular radiant heater.....	Watt 750	Each \$7.39	Each \$7.96

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the electric heater described in paragraph (a) above shall be as follows:

Article and Model:	Maximum price to user (each)
Rectangular radiant heater, 750 watt.....	\$11.95

This price includes the Federal Excise Tax.

On each heater shipped, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(d) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum prices established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 3279 may be revoked or amended by the Price Administrator at any time.

This Order No. 3279 shall become effective on the 11th day of January 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-739; Filed, Jan. 10, 1945; 11:39 a. m.]

Regional and District Office Orders.

[Region I Order G-47 Under RMPR 122, Amdt. 4]

JERMYN-GREEN COAL CO., ET AL.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by

§§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-47 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects.

1. Paragraph (f) is amended by adding the following to the Table set forth therein:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jermyn Green: Broken, egg, stove, chestnut, pea, buckwheat and rice.....	\$0.35	\$0.20	\$0.15	None
Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.25	.15	.05	None
Legitts Creek or Black Stork: Broken, egg, stove, chestnut and pea.....	.65	.35	.15	None
Buckwheat.....	.60	.25	.15	None
Rice.....	.10	.05	None	None
Steele: Broken, egg, stove, chestnut, pea and buckwheat.....	.25	.15	.05	None
Rice.....	.10	.05	None	None
Repplier: Broken, egg, stove, chestnut and pea.....	.60	.25	.15	None
Buckwheat, rice and barley.....	.40	.20	.10	None
Delano: Broken, egg, stove, chestnut and pea.....	.60	.25	.15	None
Buckwheat.....	.40	.20	.10	None
Rice.....	.10	.05	None	None
Morea: Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.15	.10	None	None

2. Subparagraphs (15), (16), (17), (18) (19), (20) and (21) are added to paragraph (g) to read as follows:

(15) "Jermyn-Green" means that Pennsylvania anthracite which is produced by the Jermyn-Green Coal Company, Inc., from No. 14, No. 6 and Butler Collieries and prepared at No. 14 Breaker, and which meets the quality and preparation standards established under Order No. 27 under Maximum Price Regulation No. 112.

(16) "Dial Rock" means that Pennsylvania anthracite which is produced and prepared by the Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112.

(17) "Legitts Creek or Black Stork" "Legitts Creek" and "Black Stork" both mean the Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton,

Pennsylvania, and which meets the quality and preparation standards established under Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by any names other than "Legitts Creek" or "Black Stork".

(18) "Steele" (also known as Lunedale) means that Pennsylvania anthracite which is produced and prepared by T. F. Steele Coal Company, Lunedale, Pennsylvania, and which meets the quality and preparation standards established by Order No. 16 under Maximum Price Regulation No. 112.

(19) "Repplier" (also known as New Castle) means that Pennsylvania anthracite which is produced and prepared by Repplier Coal Company at its New Castle Colliery and which meets the quality and preparation standards established by Order No. 15 under Maximum Price Regulation No. 112.

(20) "Delano" means that Pennsylvania anthracite which is produced and prepared by Delano Anthracite Colliery Company, Ashland, Pennsylvania, and prepared at its Delano Breaker or its Park Breaker and which meets the quality and preparation standards established by Order No. 21 under Maximum Price Regulation No. 112.

(21) "Morea" means that Pennsylvania anthracite which is produced and prepared by Morea-New Boston Breaker Corp., and which meets the quality and preparation standards established by Order No. 25 under Maximum Price Regulation No. 112.

This Amendment No. 4 shall become effective as of December 22, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1944.

ELDON C. SHOUP,
Regional Administrator

[F. R. Doc. 45-629; Filed, Jan. 8, 1945; 12:17 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 20]

NEW ENGLAND COKE CO., ET AL.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (9) of paragraph (c) of Region I Order G-70 under Revised Maximum Price Regulation No. 122 (Appendix 9) is hereby amended in the following respects:

1. Subparagraph (c) (1) is amended to read as follows:

(c) *Maximum prices for coke—(1) Explanation of kinds of coke for which specific prices are established.* (a) The

maximum prices established by subparagraphs (c) (2) (c) (3) and (c) (4) shall apply only to coke produced by the following producers:

(i) New England Coke Co., or its affiliated producing company, at their plant located in Everett, Massachusetts.
(ii) Malden & Melrose Gas Light Co., Malden, Massachusetts.
(iii) Lynn Gas & Electric Co., Lynn, Massachusetts.

(b) The maximum prices established by subparagraph (c) (5) shall apply only to "Specified cokes" meaning the following:

(i) Beehive oven coke, which means all coke made in beehive ovens, including beehive oven coke reclaimed from dumps.

(ii) By-product coke (coke made in by-product ovens) produced in plants located in states other than New York, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.

(iii) Retort gas coke (coke made in gas retorts) produced in plants located in states other than New York, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.

(c) All other coke shall be priced under the appropriate provisions of Revised Maximum Price Regulation No. 122, unless and until specific prices are established by amendment of this Appendix 9.

2. Subparagraph (c) (5) is added, to read as follows:

(c) *Maximum prices for coke.* * * *

(5) *Price Schedule VII—Maximum prices for sales of "Specified cokes" bagged and in one bushel baskets.* (a) Prices (in cents per bag) for coke in one-half bushel paper bags:

	Chestnut size	Pea size
Sales to dealers (including retail stores) f. o. b. buyer's trucks at dealer's yard.....	Cents 19	Cents 17
Sales to ultimate consumers at dealer's yard.....	21	19
Delivered to retail stores.....	21½	19½
Sales to ultimate consumers from dealer's truck, delivered.....	24	22
Sales at retail stores:		
Chain stores.....	25	23
Independent outlet.....	26	24

(b) (i) Prices for one bushel baskets of bulk Beehive Reclaimed Coke, delivered to consumer's bin or storage facilities, and including any carry that may be necessary except carries up or down flights of stairs:

	Per bushel (cents)
Chestnut size.....	42
Pea size.....	38

(ii) The maximum charge for carry up or down flights of stairs shall be 5¢ per bushel per flight.

(c) Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

This Amendment No. 20 shall become effective January 4, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1944.

ELDON C. SNOW,
Regional Administrator.

[F. R. Doc. 45-630; Filed, Jan. 8, 1945; 12:17 p. m.]

[Region VI Order G-49 Under MPR 329]

PRODUCERS' MILK IN ANTIGO, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.403 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors in Antigo, Wisconsin, may pay to producers for milk sold for human consumption in fluid form shall be 77¢ a pound butterfat in whole milk.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Antigo, Wisconsin, or who sell within that city 50% or more of the milk sold by them.

(c) *Addition of transportation charges.* (1) The maximum price established in paragraph (a) is the maximum price for milk f. o. b. purchaser's plant. Where the transportation charge or any part thereof is paid by the purchaser, the total amount paid for transportation plus the amount received by the producer shall not be in excess of the maximum price set forth in paragraph (a).

(2) Where the purchaser hauls the milk to his plant in a conveyance owned, leased or operated by him, he shall deduct from the maximum price set forth in paragraph (a) of this order the cost of such transportation. The "cost of such transportation" shall be the maximum price which may be charged by milk haulers or other transportation companies for the hauling of milk to the purchaser's plant.

(d) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Definitions.* Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Midwest Field Representative, Dairy &

Poultry Branch, Office of Distribution of the War Food Administration.

This order shall be effective the 8th day of January, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of January 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-631; Filed, Jan. 8, 1945; 12:17 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 8, 1945.

Region I

Augusta Order 1-F, Amendment 27, covering fresh fruits and vegetables in Portland, S. Portland and Westbrook, Maine, filed 1:53 a. m.

Region II

Baltimore Order 4-F, Amendment 18, covering fresh fruits and vegetables in the Baltimore area, filed 2:05 p. m.

Baltimore Order 6-F, Amendment 18, covering fresh fruits and vegetables in Hagerstown, Md., filed 2:05 p. m.

Buffalo Order 1-F, Amendment 33, covering fresh fruits and vegetables in certain cities in New York, filed 1:53 p. m.

Buffalo Order 2-F, Amendment 33, covering fresh fruits and vegetables in certain cities in New York, filed 2:14 p. m.

Camden Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New Jersey, filed 1:53 p. m.

Camden Order 4-F, Amendment 11, covering fresh fruits and vegetables in Atlanta and Cape May Counties, N. J., filed 1:53 p. m.

Philadelphia Order 6-F, Amendment 7, covering fresh fruits and vegetables in the city and county of Philadelphia, filed 4:15 p. m.

Philadelphia Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:15 p. m.

Philadelphia Order 8-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:16 p. m.

Pittsburgh Order 1-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:15 p. m.

Pittsburgh Order 10, covering dry groceries in certain counties in the State of Pennsylvania, filed 4:15 p. m.

Pittsburgh Order 11, covering dry groceries in certain counties in the State of Pennsylvania, filed 4:15 p. m.

Syracuse Order 6-W, covering dry groceries in certain counties and towns in New York, filed 1:53 p. m.

Syracuse Order 7-W, covering dry groceries in certain counties and towns in New York, filed 2:00 p. m.

Syracuse Order 8-W, covering dry groceries in certain counties in the State of New York, filed 2:07 p. m.

Syracuse Order 9-W, covering dry groceries in certain counties in the State of New York, filed 1:59 p. m.

Syracuse Order 36, covering community food prices in certain counties in New York, filed 2:00 p. m.

Syracuse Order 37, covering community prices for food in certain counties in New York, filed 1:59 p. m.

Syracuse Order 38, covering community food prices in certain counties in New York, filed 4:18 p. m.

Syracuse Order 39, covering community food prices in certain counties in New York, filed 1:59 p. m.

REGION III

Charleston Order 3-F, Amendment 54, covering fresh fruits and vegetables in certain counties in West Virginia, filed 4:14 p. m.

Charleston Order 11-F Amendment 24, covering fresh fruits and vegetables in certain counties in West Virginia, filed 4:14 p. m.

Charleston Order 12-F, Amendment 28, covering fresh fruits and vegetables in certain counties in West Virginia, filed 4:14 p. m.

Cincinnati Order 1-F, Amendment 63, covering fresh fruits and vegetables in Hamilton County in Ohio, filed 2:13 p. m.

Cincinnati Order 2-F, Amendment 56, covering fresh fruits and vegetables in certain counties in the State of Ohio, filed 2:13 p. m.

Cincinnati Order 1-C, covering poultry in certain counties in the State of Ohio, filed 2:05 p. m.

Cleveland Order F-1, Amendment 20, covering fresh fruits and vegetables in Cuyahoga County in the State of Ohio, filed 2:12 p. m.

Cleveland Order F-3, Amendment 20, covering fresh fruits and vegetables in Trumbull and Mahoning Counties in the State of Ohio, filed 2:13 p. m.

Cleveland Order F-4, Amendment 19, covering fresh fruits and vegetables in Stark and Summit Counties in the State of Ohio, filed 2:13 p. m.

Detroit Order 1-F Amendment 54, covering fresh fruits and vegetables in certain counties in Michigan, filed 2:12 p. m.

Escanaba Order 18-3B, Amendment 7, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 4:13 p. m.

Escanaba Order 19-3B, Amendment 7, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 4:13 p. m.

Lexington Order 1-C, covering poultry in certain counties in the State of Kentucky, filed 2:12 p. m.

Lexington Order 2-C, covering poultry in certain counties in the State of Kentucky, filed 2:12 p. m.

Louisville Order 1-F under 3-B, Amendment 26, covering fresh fruits and vegetables in certain counties in Indiana and Kentucky, filed 2:09 p. m.

Louisville Order 2-F under 3-B, Amendment 26, covering fresh fruits and vegetables in certain counties in Kentucky, filed 2:09 p. m.

Louisville Order 3-F, under 3-B, Amendment 26, covering fresh fruits and vegetables in certain counties in Kentucky, filed 2:06 p. m.

Saginaw Order 2-F, Amendment 49, covering fresh fruits and vegetables in certain counties in Michigan, filed 4:13 p. m.

Saginaw Order 2-F, Amendment 50, covering fresh fruits and vegetables in certain counties in Michigan, filed 4:12 p. m.

REGION IV

Jacksonville Order 10-F, Amendment 11, covering fresh fruits and vegetables in certain cities in the State of Florida, filed 2:04 p. m.

Montgomery Order 4-W, Amendment 1, covering dry groceries in the Montgomery area, filed 4:17 p. m.

Roanoke Order 1-F, covering community food prices in the Roanoke, Va., area, filed 2:06 p. m.

Roanoke Order 2-P, covering community food prices in the Roanoke, Va., area, filed 2:06 p. m.

REGION V

Arkansas Order 1-F Amendment 13, covering fresh fruits and vegetables in the Arkansas area, filed 4:12 p. m.

Dallas Order 4-W, Amendment 1, covering dry groceries in the Dallas, Tex., area, filed 2:06 p. m.

Dallas Order 24, Amendment 1, covering dry groceries in the Dallas, Tex., area, filed 2:05 p. m.

Fort Worth 2-F Amendment 50, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 2:23 p. m.

Fort Worth Order 3-F, Amendment 50, covering fresh fruits and vegetables in the Fort Worth area, filed 2:22 p. m.

Fort Worth Order 4-F, Amendment 50, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 2:22 p. m.

Fort Worth Order 5-F, Amendment 50, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 2:22 p. m.

Houston Order 1-C, Amendment 1, covering poultry in the Houston, Tex., area, filed 2:19 p. m.

Houston Order 2-F, Amendment 16, covering fresh fruits and vegetables in the Houston, Tex., area, filed 2:19 p. m.

Houston Order G-16, Amendment 3, covering certain food items in the Houston, Tex., area, filed 2:19 p. m.

Wichita Order 4-F Amendment 26, covering fresh fruits and vegetables in the Wichita, Kans., area, filed 4:17 p. m.

REGION VI

Duluth-Superior Order 8, Amendment 5, covering dry groceries in the certain areas in Minnesota, filed 2:17 p. m.

Green Bay Order 12, Amendment 10, covering dry groceries in certain areas in Wisconsin, filed 2:09 p. m.

Milwaukee Order 2-F, Amendment 49, covering fresh fruits and vegetables in Dane County, Wis., filed 2:22 p. m.

Milwaukee Order 3-F, Amendment 49, covering fresh fruits and vegetables in certain areas in the state of Wisconsin, filed 2:21 p. m.

Milwaukee Order 5-F, Amendment 48, covering fresh fruits and vegetables in Sheboygan and Fond du Lac Counties, filed 2:21 p. m.

Milwaukee Order 6-F, covering fresh fruits and vegetables in Milwaukee County, Wis., filed 2:04 p. m.

Milwaukee Order 7-F covering fresh fruits and vegetables in Racine and city of Kenosha, Wis., filed 2:19 p. m.

North Platte Order 12-F, covering fresh fruits and vegetables in certain counties in the State of Nebraska, filed 4:16 p. m.

North Platte Order 38; covering dry groceries in certain counties in the State of Nebraska, filed 2:20 p. m.

Peoria Order 1-F, Amendment 22, covering fresh fruits and vegetables in certain counties in the State of Illinois, filed 2:04 p. m.

Peoria Order 11, Amendment 6, covering dry groceries in certain areas in the state of Illinois, filed 2:20 p. m.

Sioux City Order 2-F, Amendment 51, covering fresh fruits and vegetables in certain areas in Iowa and Nebraska, filed 2:20 p. m.

Sioux Falls Order 3-W, Amendment 1, covering dry groceries in certain counties in South Dakota and Minnesota, filed 4:12 p. m.

Sioux Falls Order 15, Amendment 1, covering dry groceries in certain counties in South Dakota and Minnesota, filed 4:12 p. m.

Sioux Falls Order 18, covering dry groceries in certain counties in Iowa, South Dakota and Minnesota, filed 4:19 p. m.

REGION VII

Boise Order 13-W, covering community food prices in the Ontario, Oreg., area, filed 2:17 p. m.

New Mexico Order 23, covering egg prices in certain counties in the state of New Mexico, filed 4:18 p. m.

New Mexico Order 24, covering egg prices in certain counties in the state of New Mexico, filed 4:18 p. m.

New Mexico Order 25, covering egg prices in certain counties in the state of New Mexico, filed 4:18 p. m.

New Mexico Order 26, covering egg prices in Union County, filed 4:17 p. m.

Wyoming Order 1-F, Amendment 15, covering fresh fruits and vegetables in the Cheyenne area, filed 2:07 p. m.

Wyoming Order 2-F Amendment 13, covering fresh fruits and vegetables in the Laramie area, filed 2:08 p. m.

Wyoming Order 3-F, Amendment 12, covering fresh fruits and vegetables in the Casper area, filed 2:08 p. m.

Wyoming Order 4-F Amendment 12, covering fresh fruits and vegetables in the Sheridan area, filed 2:08 p. m.

Wyoming Order 5-F, Amendment 11, covering fresh fruits and vegetables in the Rock Springs area, filed 2:08 p. m.

REGION VIII

Nevada Order 3-E, covering eggs in Clark, Elko, Eureka, Lincoln, and White Pine Counties, filed 4:20 p. m.

Nevada Order 4-E, covering eggs in certain counties in the Nevada area, filed 4:19 p. m.

Phoenix Order 3-F, Amendment 53, covering fresh fruits and vegetables in the Phoenix area, filed 4:17 p. m.

Portland Order 4-F, Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 5-F Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 6-F Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 7-F, Amendment 2, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 8-F, Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 9-F, Amendment 2, covering fresh fruits and vegetables in the Portland area, filed 2:16 p. m.

Portland Order 10-F Amendment 1, covering fresh fruits and vegetables in the Portland area, filed 2:17 p. m.

Portland Order 11-F Amendment 1, covering fresh fruits and vegetables in the Portland area, filed 2:17 p. m.

Sacramento Order O-1, Amendment 2, covering eggs in certain areas in the State of California, filed 4:20 p. m.

San Diego Order 1-F, Amendment 6, covering fresh fruits and vegetables in the San Diego area, filed 4:17 p. m.

San Francisco Order G-14, Amendment 6, covering poultry in the San Francisco area, filed 4:17 p. m.

Spokane Order 1-F, Amendment 41, covering fresh fruits and vegetables in Spokane County, Wash., filed 2:18 p. m.

Spokane Order 2-F, Amendment 38, covering fresh fruits and vegetables in Kootenai County, Idaho, filed 2:18 p. m.

Spokane Order 3-F, Amendment 16, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho, filed 2:18 p. m.

Spokane Order 5-F, Amendment 21, covering fresh fruits and vegetables in certain counties in Washington and Idaho, filed 2:18 p. m.

Spokane Order 6-F, Amendment 22, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Wash., filed 2:19 p. m.

Spokane Order 7-F, Amendment 15, covering fresh fruits and vegetables in Benton and Franklin Counties, Wash., filed 2:16 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-727; Filed, Jan. 10, 1945;
11:34 a. m.]

WAR FOOD ADMINISTRATION.

QUALIFIED DISTRIBUTORS OF TEA

AMENDMENT TO DESIGNATION

The designation of qualified distributors of tea pursuant to War Food Order No. 21, as amended (8 F.R. 2077; 9 F.R. 4321, 4319, 9584; 10 F.R. 103) issued by the Director of Food Distribution on February 5, 1944 (9 F.R. 1561) as amended, is further amended by deleting therefrom the name Anglo-American Direct Tea Trading Company and inserting, in lieu thereof, the name Henry P. Thomson, Inc.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of January 1945.

LEE MARSHALL,
Director of Marketing Services.

[F. R. Doc. 45-685; Filed, Jan. 9, 1945;
3:18 p. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED VESSEL "WILLIAM C. ATWATER"

NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION

Notice is hereby given that the sum of \$10,500.00 was deposited with the Treasurer of the United States on November 30, 1944, pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, and Executive Order 8054, February 7, 1942 (7 F.R. 837) on account of just compensation for title to the vessel "William C. Atwater" Official Number 217513 which was requisitioned by the United States of America, represented by the War Shipping Administrator on October 27, 1943.

By order of the War Shipping Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

JANUARY 9, 1945.

[F. R. Doc. 45-726; Filed, Jan. 10, 1945;
11:33 a. m.]

